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Attorney for Defendants/Counterclaim Plaintiffs

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

DARRELL L. DEEM, et al.,

Plaintiffs/Counterclaim Defendants,

vs.

TRACEY BARON, et al.,

Defendants/Counterclaim Plaintiffs.

**ORDER RESOLVING
MOTIONS IN LIMINE AND
CONTINUING TRIAL**

Civil No. 2:15-cv-755-DS

Honorable David Sam

This case came before the Court for a hearing on pending pretrial motions on March 7, 2019, at 1:00 p.m. The Honorable David Sam presided. Steven W. Shaw appeared on behalf of the plaintiffs. Stephen K. Christiansen appeared on behalf of the defendants. The Court considered the pending motions, engaged in colloquy with and heard argument from counsel, issued oral rulings, and herein memorializes the same. Now being fully advised, the Court hereby enters its Order as follows:

1. Plaintiffs' motions in limine (Dkts. 254, 255, 256) are DENIED for the reasons stated on the record and in the defendants' opposition briefing.

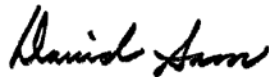
2. Defendants' motion in limine (Dkt. 257) is GRANTED IN PART and DENIED IN PART for the reasons stated on the record. The timing of plaintiffs' pretrial disclosures made within 24 hours after the Court's deadline, though technically late, is harmless. However, plaintiffs may not introduce at trial any documents or witnesses who were not timely disclosed in previous disclosures. Any new witnesses or documents in plaintiffs' final pretrial disclosures are excluded from evidence.

3. The Court hereby CONTINUES the trial to June 10-21, 2019, for the reasons articulated by defendants in their motion to continue (Dkt. 264) and at the hearing, and in accordance with the factors set forth in *Rogers v. Andrus Transp. Servs.*, 502 F.3d 1147, 1151 (10th Cir. 2007), which the Court determines favor the requested continuance. Counsel are to work together to stipulate to the admissibility of evidence to the extent possible.

IT IS SO ORDERED.

ENTERED this 11th day of March, 2019.

BY THE COURT:



DAVID SAM
United States District Judge

STEVEN W. SHAW, ATTORNEY AT LAW

By: /s/ Steven W. Shaw
Steven W. Shaw
Attorney for Plaintiffs
(E-signature affixed with permission)

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of March, 2019, I caused a true and correct copy of this pleading to be served electronically upon all counsel of record via the Court's CM/ECF system.

/s/ Stephen K. Christiansen